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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,616	11/09/2001	Wen-Lian Hsu	08919-063001/05A-880412	1040
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FISH & RICHARDSON PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER FERNANDES, CHERYL M	
			ART UNIT	PAPER NUMBER
			2163	
DATE MAILED: 10/05/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/045,616

Applicant(s)

HSU ET AL.

Examiner

Cheryl M. Fernandes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is responsive to the Request for Continued Examination filed September 19, 2005. Claims 1-27 are presented for examination. Claims 1, 10, 19, and 24 have been amended.

Response to Arguments

2. Referring to the 35 USC 112 second paragraph rejection for claim 24, Applicant's amendments have been acknowledged. Consequently, the 35 USC 112 second paragraph rejection toward the claim has been withdrawn.

3. Applicant's arguments filed September 19, 2005 with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Referring to claims 1, 10, and 19, the claims recite the limitation "identifying the characteristic features of a web site from an input that includes an identifier that identifies the web site and an information sample previously obtained from the web

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site". However, it is unclear as to whether the input includes an identifier and an information sample or whether the characteristic features *and* information sample are identified.

Due to the 35 USC § 112 rejections, the claims have been treated on their merits as best understood by the examiner.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 4-6, 10, 13-15, 19, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by US Publication Number 2002/0065877 by Kowtko et al (hereafter Kowtko).

Referring to claim 1, Kowtko discloses a method (Abstract) comprising:

- identifying characteristic features of a web site (configuration information of a customer's web site, see Fig. 3) from an input that includes an identifier that identifies the web site (website of customer is accessed, para 11; 'company name' field, Fig. 3, element 304₉, para. 27) and an information sample previously obtained from the web site ('graphics, text and/or configuration information' from customer's website, Abstract; see Fig. 3, elements 304₁ to 304₁₀, para. 25-27);

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- extracting contents from the web site based on the identified characteristic features and relevancy of the contents to the information sample (graphics, text and/or configuration information is retrieved directly from the customer's web site, para 26); and
- updating a personalized web page with the contents (a generic web site template is updated to create a customized website, para 25-26).

Referring to claim 10, the limitations of the claim repeat the respective limitations of claim 1 above in the form of a system (Abstract), and therefore claim 10 is rejected for the same reasons as claim 1. In addition, claim 10 recites a display to display the personalized web page ('CRT display device', Fig. 5, element 521; para 30).

Referring to claim 19, the limitations of the claim repeat the respective limitations of claim 1 above in the form of a computer program (para. 31), and therefore claim 19 is rejected for the same reasons as claim 1.

Referring to claims 4 and 13, Kowtko discloses identifying a topic keyword ('Company name', Fig. 3, element 304₉).

Referring to claims 5 and 14, Kowtko discloses identifying a layout of the information sample (Fig. 3, elements 304₃ to 304₈).

Referring to claims 6 and 15, Kowtko discloses identifying a domain keyword of the information sample ('site name', see Fig. 3).

Referring to claim 22, Kowtko discloses that characteristic features include at least one of a topic keyword, a layout, a domain keyword, a semantic category, and an event (layout, Fig. 3, elements 304₃ to 304₈).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Publication Number 2002/0065877 by Kowtko et al (hereafter Kowtko), as applied to claim 1 above.

Referring to claims 26 and 27, Kowtko discloses all of the above claimed subject matter, however remains silent as to identifying characteristic features of the web site and information sample automatically.

It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Kowtko to include identifying characteristic features of a web site and information sample *automatically*, since it has been held that mere automation of the essential working parts of a device involves only routine skill in the

art. *In re Venner*, 262 F.2d 91, 95, 120 USPQ 192, 194 (CCPA 1958).

7. Claims 2, 7, 8, 11, 16, 17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kowtko, as applied to claims 1, 10 and 19 above, and further in view of US Pat No 5,983,227 issued to Nazem et al. (hereafter Nazem).

Referring to claims 2, 7, 8, 11, 16, 17, and 20, Kowtko discloses all of the above claimed subject matter, however remains silent as to:

- a frequency for identifying, extracting and updating, specified by an input, the frequency depending on how often the user accesses the webpage (claims 2, 11, and 20);
- identifying a semantic category of the information sample (claims 7 and 16); and
- identifying an event in the input (claims 8 and 17).

However, Nazem discloses analogous art that includes:

- a frequency, specified by an input, the frequency depending on how often a user accesses a webpage (claims 2, 11, and 20) (column 4, lines 43-47);
- identifying a semantic category of an information sample (claims 7 and 16) (Figure 5A, element 504); and
- identifying an event in an input (claims 8 and 17) (Figure 5A, element 504).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Kowtko to include a frequency, specified by an input, the frequency, identifying a semantic category of an information sample, and identifying an event in an input, as taught by Nazem.

The ordinary skilled artisan would have been motivated to modify Kowtko per the above for the purpose of providing an improved system for delivering custom pages to a user wherein information is filtered according to each user's interest (Nazem, col. 1, lines 28-29 and 56-57).

8. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kowtko, in view of Nazem, as applied to claim 2 above, and further in view of US Publication Number 2002/0188503 by Banerjee et al. (hereafter Banerjee).

Referring to claim 3, the combination of Kowtko/Nazem discloses all of the above claimed subject matter, however remains silent as to verification confirming the update and adding the corresponding contents into a training set.

However, Banerjee discloses analogous art that includes verification confirming an update and adding corresponding contents into a training set (pages 2-3, paragraph 21).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify the combination of Kowtko/Nazem to include verification confirming an update and adding corresponding contents into a training set, as taught by Banerjee.

The ordinary skilled artisan would have been motivated to modify the combination of Kowtko/Nazem per the above for the purpose of maintaining a list of updates so that changes to the database can be tracked wherein the dynamic web pages would merge constantly-updated descriptions of bundles, stored in a database, with a web-page template, on the fly (Banerjee, pages 2-3, paragraph 21).

9. Claims 12 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kowtko, as applied to claims 10 and 19 above, and further in view of Banerjee.

Referring to claims 12 and 21, Kowtko discloses all of the above claimed subject matter, however remains silent as to verification confirming the update and adding the corresponding contents into a training set.

However, Banerjee discloses analogous art that includes verification confirming an update and adding corresponding contents into a training set (pages 2-3, paragraph 21).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Kowtko to include verification confirming an update and adding corresponding contents into a training set, as taught by Banerjee.

The ordinary skilled artisan would have been motivated to modify Kowtko per the above for the purpose of maintaining a list of updates so that changes to the database can be tracked wherein the dynamic web pages would merge constantly-updated descriptions of bundles, stored in a database, with a web-page template, on the fly (Banerjee, pages 2-3, paragraph 21).

10. Claims 9, 18, 23, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kowtko as applied to claims 1, 10, and 19 above, and further in view of US Patent Number 6006218 issued to Breese et al. (hereafter Breese).

Referring to claims 9, 18, and 23, Kowtko discloses all of the above claimed subject matter, however remains silent as to assigning a score according to the degree of relevancy of the corresponding contents to the information sample.

However, Breese discloses analogous art that includes assigning a score according to a degree of relevancy of corresponding contents to information (column 13, lines 1-3).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Kowtko to include assigning a score according to a degree of relevancy of corresponding contents to an information sample, as taught by Breese.

The ordinary skilled artisan would have been motivated to modify Kowtko per the above for the purpose of determining the accuracy of a search whereby adjusting ranking values generated by a known search engine as a function of the knowledge probability estimates, the teachings of Breese reduces or eliminates the risk of locating known information near the top of a list of search results. This is advantageous since known information is generally of little interest to a user. In addition, Breese teaches ranking of the search results to give the user an opportunity to have the ranking of the search results accurately reflect the user's knowledge (Breese, Abstract).

Referring to claim 24, the combination of Kowtko /Breese discloses comparing the topic keyword and layout of the corresponding contents with those of the information sample to determine the degree of relevancy (Breese, column 17 line 60 – column 18 line 2).

Referring to claim 25, the combination of Kowtko /Breese discloses comparing the domain keyword, semantic category, event and layout of the corresponding contents with those of the information sample to determine the degree of relevancy (Breese, column 17, lines 60– 66).

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents or publications are cited with respect to user input of periodical update intervals of web pages and copying content from web-pages:

- US Patent 6,460,038 by Khan et al;
- US 2002/0099602 by Moskowitz et al; and
- US 2002/0065681 by Fenson et al.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl M Fernandes who can be reached on (571) 272-4018. The examiner can normally be reached on 9:00 am - 5:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CMF

October 1, 2005



UYEN LE
PRIMARY EXAMINER